



## Nevada State Board of Medical Examiners

### ***Press Release – March 22, 2006***

#### **NEVADA STATE BOARD OF MEDICAL EXAMINERS TAKES DISCIPLINARY ACTION AGAINST SEVEN PHYSICIANS AND ONE PRACTITIONER OF RESPIRATORY CARE**

*At its quarterly meeting on March 17 & 18, 2006, the Nevada State Board of Medical Examiners took disciplinary action against seven licensed medical doctors and one licensed practitioner of respiratory care:*

##### **Robert Chen, M.D.**

The Nevada State Board of Medical Examiners found that Robert Chen, M.D. committed malpractice for failing to use the reasonable care, skill or knowledge ordinarily used under similar circumstances in providing care or treatment to a patient, a violation of NRS 630.301(4). The Board ordered that Dr. Chen receive a public reprimand and that he reimburse the Board's costs and expenses incurred in the investigation and prosecution of the case against him, payable within 60 days of the Board's order.

##### **Mohammad H. Fani-Salek, M.D.**

The Board found Mohammad H. Fani-Salek, M.D. guilty of obtaining a license to practice medicine by fraud, misrepresentation or by false, misleading, inaccurate or incomplete statements, a violation of NRS 630.304(1). The Board revoked Dr. Fani-Salek's license to practice medicine in Nevada, and ordered that he pay a fine of \$5,000 and reimburse the Board's costs and expenses incurred in the investigation and prosecution of the case against him, payable within 90 days of the Board's order.

##### **Daniel Figlio, C.R.T.**

The Board accepted and approved the Stipulation for Settlement of its complaint against Daniel Figlio, C.R.T. Pursuant to the Settlement Agreement, Mr. Figlio admitted to conviction of a felony offense involving moral turpitude and related to the practice of respiratory care, a violation of NAC 630.540(11). The Board revoked Mr. Figlio's license to practice respiratory care in Nevada, and ordered that he reimburse the Board's costs and expenses incurred in the investigation and prosecution of the case against him, payable within 180 days of acceptance, adoption and approval of the Settlement Agreement by the Board.

**Ronald H. Foote, M.D.**

The Board found Ronald Foote, M.D. guilty of engaging in conduct that brings the medical profession into disrepute, a violation of NRS 630.301(9). The Board ordered that Dr. Foote receive a public reprimand, that he reimburse the Board's costs and expenses incurred in the investigation and prosecution of the case against him, payable within 90 days of the Board's order, and that he comply with additional conditions for continued licensure.

**Edwin S. Kulubya, M.D.**

The Board accepted and approved the Stipulation for Settlement of its complaint against Edwin S. Kulubya, M.D. Pursuant to the Settlement Agreement, Dr. Kulubya admitted to modification of his license to practice medicine in another jurisdiction, a violation of NRS 630.301(3). The Board ordered that Dr. Kulubya receive a public reprimand, that he be required to attend six hours of continuing medical education on the subject of ethics, at his own expense and in addition to any other continuing medical education required as a condition of licensure, and that he reimburse the Board's costs and expenses incurred in the investigation and prosecution of the case against him, payable within 60 days of acceptance, adoption and approval of the Settlement Agreement by the Board.

**David M. McCann, M.D.**

The Board found David M. McCann, M.D. guilty of surrendering his license to practice medicine in another jurisdiction while under investigation by a licensing authority in that jurisdiction, a violation of NRS 630.301(3), and failure to report to the Nevada Board his surrender of that license, a violation of NRS 630.306(11). The Board revoked Dr. McCann's license to practice medicine in Nevada, and ordered that he pay a fine of \$3,000 and reimburse the Board's costs and expenses incurred in the investigation and prosecution of the case against him, payable within 60 days of the Board's order.

**Dietrich A. Stoermer, M.D.**

The Board accepted and approved the Stipulation for Settlement of its complaint against Dietrich A. Stoermer, M.D. Pursuant to the Settlement Agreement, Dr. Stoermer admitted to revocation of his license to practice medicine in another jurisdiction, a violation of NRS 630.301(3), and failure to report discipline taken against him in another jurisdiction, a violation of NRS 630.306(11). The Board revoked Dr. Stoermer's license to practice medicine in Nevada, and ordered that he pay a fine of \$5,000 and reimburse the Board's costs and expenses incurred in the investigation and prosecution of the case against him, payable within 120 days of acceptance, adoption and approval of the Settlement Agreement by the Board.

**Sean Su, M.D.**

The Board accepted and approved the Stipulation for Settlement of its complaint against Sean Su, M.D. Pursuant to the Settlement Agreement, Dr. Su admitted to obtaining a license to practice medicine by means of bribery, fraud, misrepresentation or by any false, misleading, inaccurate or incomplete statement, a violation of NRS 630.304(1). The Board ordered that Dr. Su receive a public reprimand and that he reimburse the Board's costs and expenses incurred in the investigation and prosecution of the case against him, payable within 60 days of acceptance, adoption and approval of the Settlement Agreement by the Board.

Disciplinary action against these physicians is reported to all other states in which they may be licensed and to the National Practitioner Data Bank and Federation of State Medical Boards of the United States.

***At its quarterly meeting on March 17 & 18, 2006, the Board ratified licensure of 88 physicians, 19 physician assistants and 33 practitioners of respiratory care, and requested personal appearances of 14 applicants for licensure – 12 physicians, 1 physician assistant and 1 respiratory therapist.***

Of the 14 applicants who were requested to personally appear, the Board denied the application of one physician:

**Dale Mericle, M.D.**

The Board denied the application for licensure in the state of Nevada of Dale Mericle, M.D., pursuant to NRS 630.304(1), based upon false, misleading, inaccurate and/or incomplete statements made by Dr. Mericle concerning his application for licensure.

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Of the remaining applicants, 1 physician assistant and 1 respiratory therapist were granted licenses, the Board declined to exercise its statutory discretion to grant licensure by endorsement to 1 physician, and 10 physicians were granted licenses, 2 subject to conditions and 1 by endorsement.

From January 1, 2006 to March 21, 2006, the Board has licensed 66 physicians administratively, that is, applicants who met all of the statutory and regulatory requirements for licensure. This includes 7 physicians who were issued special purpose licenses, 5 who were issued limited licenses as residents, and 1 who was issued a restricted license, but does not include the applicants who appeared before the Board at the March meeting.